

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

DAVID HOWELL,)	3:18-cv-00273-MMD-WGC
)	
Plaintiff,)	<u>MINUTES OF THE COURT</u>
vs.)	
)	November 25, 2020
JOHN KEAST, et al.,)	
)	
Defendants.)	
_____)	

PRESENT: THE HONORABLE WILLIAM G. COBB, U.S. MAGISTRATE JUDGE

DEPUTY CLERK: KAREN WALKER REPORTER: NONE APPEARING

COUNSEL FOR PLAINTIFF(S): NONE APPEARING

COUNSEL FOR DEFENDANT(S): NONE APPEARING

MINUTE ORDER IN CHAMBERS:

Before the court is Plaintiff's "Motion for Court to Enforce Previous Order" (ECF No. 32). Plaintiff states that Defendants have failed to respond to the court's order of November 5, 2020 (ECF No. 31) regarding the identify of Defendant Nurses Kathy, Erin and Jessica.

On September 15, 2020, the Office of the Attorney General filed its Notice of Acceptance of Service stating "Service is accepted on behalf of Defendant John Keast, who is a current Nevada Department of Corrections (NDOC) employee. At this time, service is not accepted on behalf of Defendants Kathy, Erin or Jessica, who have not been identified as current or former employees of the NDOC. The last known addresses for Defendants Kathy, Erin and Jessica have not been provided because NDOC is unable to identify such employee records." (ECF No. 26 at 1.)

///

///

///

MINUTES OF THE COURT
3:18-cv-00273-MMD-WGC
November 25, 2020
Page 2

Defendants' "Notice of Acceptance of Service" stated that Defendants "Kathy, Erin or Jessica ... have not been identified as current or former employees of NDOC." (ECF No. 26). Counsel for Defendants does not elaborate on what research or investigation has been undertaken to identify them as current or former employees of NDOC. The court's screening order on Plaintiff's Second Amended Complaint (ECF No. 19) might perhaps provide additional information regarding the identity these alleged employees. All the averments against Nurses Kathy, Erin and Jessica occurred at NNCC between September 8, 2017, and September 11, 2017 (or shortly thereafter) (*id.* at 3-4) and on or about November 17, 2014 (i.e., Nurse Jessica; *id.* and ECF No. 17 at 6-7).

IT IS HEREBY ORDERED that Plaintiff's "Motion for Court to Enforce Previous Order" (ECF No. 32) is **GRANTED IN PART**.

IT IS FURTHER ORDERED that the Office of the Attorney General shall make inquiry of NDOC whether any nurses with those first names were employed by NDOC at NNCC during the specified time periods to perhaps ascertain the full names of the named defendants and to file a Notice of such inquiry **on or before Friday, December 18, 2020**. If counsel is able to identify such nurses as past or present employees of NDOC, counsel shall further advise whether the Office of the Attorney General can accept service (or if not, provide last known addresses under seal).

DEBRA K. KEMPI, CLERK

By: _____/s/_____
Deputy Clerk